STATEMENT OF BASIS (AI No. 34055)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0111783 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: AEP Elmwood, LLC
Baton Rouge Facility
P.O. Box 1148
Harvey, Louisiana 70059

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: February 1, 2006

1. PERMIT STATUS

A. Reason For Permit Action:

Re issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NA

C. LPDES permits - LA0111783
LPDES permit effective date: December 1, 2000
LPDES permit expiration date: November 30, 2005

LAG531830
LPDES permit effective date: July 12, 2005
LPDES permit expiration date: November 30, 2007

D. Date Application Received: July 1, 2005

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY – barge cleaning and repair facility

This is an existing barge cleaning (40%) and repair (60%) facility. The barges are dry cargo covered and open top hopper barges. The barges contain the following commodities:

Hard Grain, Grain Products, Pellets, Meal, Wood Chips, Timber/Wood Products, Dunnage, Sugar and Glucose Products, Glass, Fiberglass dust from barge cover repairs, Bauxite, Barite, Ore Products, Talc and Clay Products, Anode Butts, Clay Ore, Scrap Iron/Steel, Wire and Carbon Rods, Iron Ore, Selestite Ore, Ferrite Magnesium, Magnesite, Magnealte, Slag, Copper, Cooper Tin Oxide, Cement, Spodumene, Alumina, Aluminum Hydrate, Gypsum, Fly Ash, Fluorspar, General Fertilizers, Nitrates (Calcined and non Calcined), Phosphates, Ammonium Phosphates, Sulfates (Ferrous/Ammonium), Soda Ash, Urea, Salt, Aggregate, Sand, Lime, Limestone/Rock, Dredged Spoil, Rubber Tires, Coal, Coke.

The barges are swept and bagged, then the dust and small amount of particles remaining in the barge is removed by washing with water taken from the Mississippi River by means of 2" to 3" pumps. The water containing the residual dust particles is pumped into the river. All recovered cargos are collected and disposed as solid waste with an approved solid waste collector.

B. FEE RATE
1. Fee Rating Facility Type: *minor*
2. Complexity Type: II, as per LAC33:IX.1319 Table I and SIC 4463. In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463
3. Wastewater Type: II
4. SIC code: 3731, 4491

C. LOCATION – at the intersection of River Road and Grant Street on the east bank of the Mississippi River in Baton Rouge, East Baton Rouge Parish, 30˚25' 20", 91˚ 11' 46"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: dry commodity barge washwater
Treatment: none
Location: at the point of discharge from the barge being washed
Flow: intermittent
Discharge Route: to the Mississippi River

Outfall 002

Discharge Type: coal and coke barge washwater
Treatment: none
Location: at the point of discharge from the barge
Flow: intermittent
Discharge Route: to the Mississippi River

Outfall 03A

Discharge Type: incoming ballast and void water from customer barges
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: intermittent
Discharge Route: to the Mississippi River

Outfall 03B

Discharge Type: maintenance ballast and void water and dry dock ballast water
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: intermittent
Discharge Route: to the Mississippi River

Outfall 004

Discharge Type: treated sanitary wastewater
Treatment: activated sludge with aeration and chlorination
Location: at the point of discharge from the STP
Flow: 300 GPD
Discharge Route: to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. fish and wildlife propagation
d. drinking water supply

5. PROPOSED EFFLUENT LIMITS

BASIS - See *Rationale on page 5.*

6. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

1. WQMD: There are no open, appealed, or pending OEC enforcement actions as of January 31, 2006.

An inspection on February 2, 2003 noted the following:
1. Permit and DMRs were on site and appeared to be orderly.
2. There were no apparent violations
3. There was no smell, no oily sheen, and no solids present in the receiving stream.

2. DMR Review: A DMR review of Years 2004 and 2005 on February 2, 2006 noted two COD excursions for Outfall 002. There were no other exceedences of permitted limits. 18 of 24 DMRs were on file at LDEQ.

7. 303(d) LISTED WATERBODIES

The discharges from AEP Elmwood, LLC, Cleaning Barge Bourg 103 are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon and migratory waterfowl, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 10/21/05 from Watson (FWS) to Gautreaux (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon and migratory waterfowl. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

9. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

10. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

11. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Rationale for AEP Elmwood, LLC

1. **Outfall 001:** dry commodity barge washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: Hard Grain, Grain Products, Pellets, Meal, Wood Chips, Timber/Wood Products, Dunnage, Sugar and Glucose Products, Glass, Fiberglass dust from barge cover repairs, Bauxite, Barite, Ore Products, Talc and Clay Products, Anode Butts, Clay Ore, Scrap Iron/Steel, Wire and Carbon Rods, Iron Ore, Selestite Ore, Ferrite Magnesium, Magnesite, Magnealte, Slag, Copper, Cooper Tin Oxide, Cement, Spodumene, Alumina, Aluminum Hydrate, Gypsum, Fly Ash, Fluorspar, General Fertilizers, Nitrates (Calcined and non Calcined), Phosphates, Ammonium Phosphates, Sulfates (Ferrous/Ammonium), Soda Ash, Urea, Salt, Aggregate, Sand, Lime, Limestone/Rock, Dredged Spoil, Rubber Tires, Coal, Coke. Best Management Practices (BMPs) for barge operations are listed in Part II.

2. **Outfall 002:** coal and coke barge washwater

Pollutant	Limitation Mthly Avg:Daily Max (mg/l)	Reference
Flow-MGD	Report:Report	LAC 33:IX.2701.I.1.b
COD	250:400	Similar Discharges; BPJ
TSS	Report:Report	Similar Discharges; BPJ
pH	6.0 - 9.0 s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: TSS shall be observed once per month and Flow, COD and pH shall be observed once per week at the point of discharge from the barge being washed.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

3. **Outfall 03A:** *incoming ballast and void wastewater from customer barges*
Outfall 03B: maintenance ballast and void wastewater and dry dock ballast water*

Pollutant	Limitation Mthly Avg:Daily Max (mg/l)	Reference
Flow	Report:Report	LAC 33:IX.2701.I.1.b
COD	---:250	Similar Discharges; BPJ
Oil & Grease	---:15	Similar Discharges; BPJ
pH	6.0 - 9.0s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the incoming customer barge/vessel.

*The measurement frequency for Outfall 03B for the discharge of maintenance ballast and dry dock ballast water shall be 1/month whenever sampling is required.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

4. **Outfall 004:** treated sanitary wastewater

Pollutant	Limitation Mo. Avg:Weekly Avg (mg/l)	Reference
Flow (GPD)	---:Report	
BOD	---:45 mg/l	LAG530000;BPJ
Fecal Coliform Colonies/100 ml	---:400	LAG530000;BPJ
TSS	---:45 mg/l	LAG530000;BPJ
pH	6.0 - 9.0 su	LAG530000;BPJ

BPJ Best Professional Judgment
su Standard Units

Monitoring Frequency: once per six months for all parameters at the point of discharge from the STP prior to mixing with waters of the state.

Limits Justification: Limits and monitoring frequencies are based on the Class I Sanitary General Permit, Schedule B.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean tanks. The facility cleans open and closed top hoppers only.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1.b, stormwater discharges that are associated with industrial activity shall be monitored. In accordance with LAC 33:IX.2511.B.14, SIC code SIC codes 3731 and 4491 are considered to be associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II, Paragraph S of the Draft Permit).

If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc.